IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 19th day of December, 2005

Crl. Bail Application No. 1096 of 2005

Order on the bail application of accused

Criminal Side

Som Kumar
S/o Shri Sobha Ram
R/o Village- Harchandpur
Police Station- Manglaur
District- Haridwar .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of Crime No. 186 of 2005
Under Sections: 376, 120-B, 506 of I.P.C.
Police Station: Manglaur
District: Haridwar.

Hon'ble Prafulla C. Pant, J.

This is bail application moved on behalf of the accused Som Kumar S/o Shri Sobha Ram who is in jail in connection of crime No. 186 of 2005 under Section 376, 120-B, 506 of I.P.C., Police Station Manglaur, District Haridwar.

Heard learned counsel for the applicant and learned A.G.A.

Applicant is husband of the complainant- Rameshwari. Rameshwari has lodged F.I.R. in August, 2005 stating that she got married on 14.05.2005 to the applicant. It is alleged in the F.I.R. that the complainant's elder brothers and one another person of the village committed rape on her. No date has been mentioned in the F.I.R. when the complainant was raped. The allegation against the applicant who is husband of the complainant is that he is also in collusion with his brothers who have raped the complainant. It is argued on behalf of the applicant that there is matrimonial dispute between the parties.

In the facts and circumstances of the case, it is a fit case for bail.

Let the applicant be released on bail on executing personal bond and furnishing of two surety bonds to the satisfaction of Chief Judicial Magistrate, Haridwar.

Dt. 19.12.2005 **(Prafulla C. Pant, J.)**

Sweta